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YORK REGION'S REVIEW OF THE BELLAMY REPORT

The Finance and Administration Committee recommends the adoption of the recommendations contained in the following report, October 3, 2005, from the Chief Administrative Officer:

1. RECOMMENDATIONS

It is recommended that Regional Council endorse the action plan outlined within this report to conduct a review and evaluation of recommendations contained within the recent report of Justice Bellamy.

2. PURPOSE

The purpose of this report is to outline an action plan for York Region for the review of its current practices and identify areas of improvement in the areas of procurement, management controls, integrity and governance.

3. BACKGROUND

On September 12, 2005, the Honourable Madam Justice Denise E. Bellamy delivered a report with recommendations covering both, the Toronto Computer Leasing Inquiry (TCLI) and the Toronto External Contracts Inquiry (TECI) (also known as the MFP inquiry). The report examined the events in question regarding six large transactions, which occurred before, during and after amalgamation, between the City of Toronto and outside suppliers of information technology services and equipment. In June 2001 serious questions were raised about these large transactions, and a public inquiry led by Justice Bellamy was initiated in March 2002.

The Justice Bellamy Report listed a total of 241 recommendations categorized into main issues to be addressed:

- Ethics (70 recommendations)
- Governance (28 recommendations)
- Lobbying (31 recommendations)
- Procurement (110 recommendations)
- as well as 2 other recommendations regarding the implementation of the report's recommendations and the requirement for public reporting of progress.

4. ANALYSIS AND OPTIONS

Although the findings, conclusions and recommendations made in the Justice Bellamy Report were developed as a result of an inquiry into the policies and procedures at the City of Toronto, the information in the report may add value to York Region practices.

4.1 York Region's Current Policies and Procedures

Regional Council has established many policy and procedural by-laws that ensure good governance and procurement practices are undertaken in an ethical manner. Currently, York Region has many sound policies and procedures in place including:

- an established Code of Conduct for all employees with continual training and frequent employee review requirements;
- providing reminders to our suppliers regarding the Region's Code of Conduct;
- an established Regional policy regarding Respect in the Workplace;
- a system whereby the CAO, Regional Auditor, and Regional Solicitor are neutral, and ensure that the Region is meeting all legal and internal control requirements;
- a procurement system that is fair, transparent and objective; and
- a tender process that is clearly and continually communicated to the public and potential bidders.

Policies are continually reviewed and updated, often in consultation with our area municipal colleagues and GTA municipal counterparts.

In addition to these and many other sound practices, York Region enjoys a respectful and professional relationship between Regional Council and staff. Regional Council also enjoys a respectful and professional relationship between its members and is continuously tasked to reach consensus on various difficult issues.

4.2 Proposed Action Plan

While Regional Council and staff currently observe many of the recommendations referenced in the Justice Bellamy Report, there may be opportunities for improvement.

It is proposed that the action plan cover a review of current procurement, management controls, integrity and governance practices that would include:

1. A full review of the 241 recommendations detailed by Justice Bellamy to see what elements may have application to York Region;
2. A full review of current York Region policies and practices as they relate to the four focus areas of the Justice Bellamy Report (ethics, governance, lobbying, procurement); and
3. Determining improvement areas to be addressed, including the updating or development of policies, procedures and protocols.

Some of the suggested improvement areas may include:

- A full review of the Region's Code of Conduct
- A review of the merits of establishing an Integrity/Ombudsman role
- A full review of the procurement process
- The consideration of establishing corporate tracking of attendance at events/engagements

Staff will communicate progress of the action plan to Regional Council as appropriate, including any future recommendations for policy changes or updates.

5. FINANCIAL IMPLICATIONS

This proposed action plan will have no additional tax levy impact, as the resources to be utilized are part of the Region's regular and ongoing efforts of process improvements within program areas.

6. LOCAL MUNICIPAL IMPACT

The recommendations of this report have no local municipal impact.

7. CONCLUSION

The conclusions of Justice Bellamy provide an opportunity for the Region to review its practices, policies and procedures to ensure that York Region government remains transparent, fair and honest.